

Message Text

CONFIDENTIAL

PAGE 01 STOCKH 05416 281257Z

ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 ACDA-12 AGRE-00 AID-05
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DLOS-09
DODE-00 DOTE-00 EPA-01 SOE-02 DOE-11 FMC-01
TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00 L-03
NSAE-00 NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05
PRS-01 SP-02 SS-15 USIA-06 /137 W
-----022190 281511Z /40

R 281211Z DEC 77

FM AMEMBASSY STOCKHOLM

TO SECSTATE WASHDC 2642

C O N F I D E N T I A L STOCKHOLM 5416

E.O. 11652: GDS

TAGS: EWWT, SENV, SW, UR

SUBJ: FINANCIAL RESPONSIBILITY OF SOVIET TANK VESSEL TESIS

REF: STATE 305570

1. SWEDISH LAW OF 1973 ON OIL DAMAGE STATES THAT RESPONSIBILITY RESTS PRIMARILY WITH OWNER OF VESSEL, BUT THIS IS EVIDENTLY NOT QUITE SAME AS US NO-FAULT CLAUSE, AS WE UNDERSTAND REFTEL. OWNER MUST DEPOSIT WITH SWEDISH ADMINISTRATION OF SHIPPING AND NAVIGATION (SJOFARTSVERKET) SUM SUFFICIENT TO COVER COSTS OF CLEANING OIL SPILL AND SHORELINE. SOVIETS HAVE INDEED DEPOSITED EIGHT MILLION KRONOR, ACCORDING TO HEAD OF SECTION IN SJOFARTSVERKET. EXCEPTION TO NO-FAULT ASPECT IS THAT OWNER MAY SUBSEQUENTLY CLAIM EXCEPTION TO RESPONSIBILITY IF HE CAN ESTABLISH EXISTENCE OF SUCH CONTINGENCIES AS ACT OF WAR, SABOTAGE, NAUTICAL DEFICIENCIES, CO-RESPONSIBILITY, ETC. SAME OFFICIAL TOLD EMBASSY THAT SWEDISH LAW IS IN CONFORMITY WITH (UNSPECIFIED) INTERNATIONAL CONVENTION.

2. SOVIETS HAVE DISCLAIMED RESPONSIBILITY FOR GROUNDING OF TESIS AND RETAINED PROMINENT LAW FIRM IN ATTEMPT TO RETAIN REFUND OF DEPOSIT. SJOFARTSVERKET HAS RETAINED AN EQUALLY PROMINENT FIRM, CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STOCKH 05416 281257Z

AND THE QUESTION COULD END UP IN COURT. HOWEVER, BOTH PARTIES APPEAR BENT ON REACHING AN AMICABLE SETTLEMENT OUT OF COURT, ACCORDING TO OUR CONTACT. IT IS CONCEIVABLE THAT FINAL AGREEMENT WILL INVOLVE SHARING OF RESPONSIBILITY, AND COSTS OF CLEAN-UP.

3. QUESTION OF RESPONSIBILITY REMAINS HIGHLY SENSITIVE, AS TESIS WAS IN HANDS OF SWEDISH MASTER PILOT WHEN GROUNDING OCCURRED,

AND SWEDISH SEA CHART SUBSEQUENTLY PROVED INACCURATE.

4. OUR CONTACT MAINTAINED THAT SOVIET REPS HAVE NOT RPT NOT BEEN
INFRIENDLY OR DIFFCULT TO DEAL WITH.
KENNEDY-MINOTT

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SHIPS, WATER POLLUTION, LAW, TESIS
Control Number: n/a
Copy: SINGLE
Sent Date: 28-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STOCKH05416
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770483-0418
Format: TEL
From: STOCKHOLM
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771210/aaaaaich.tel
Line Count: 67
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 94e720fb-c188-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 305570
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 103009
Secure: OPEN
Status: NATIVE
Subject: FINANCIAL RESPONSIBILITY OF SOVIET TANK VESSEL TESIS
TAGS: EWWT, SENV, SW, UR
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/94e720fb-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009